

## **REMARKS**

Claims 1, 2 and 4-12 are currently pending for examination. Claims 1-5 were previously rejected. Claims 1 and 5 were amended, claims 6-12 are added and claim 3 was canceled. Applicants submit that no new matter is added by this amendment. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing remarks.

### **Drawings**

Corrected drawings are submitted herewith in response to the examiners objection. In replacement Figures 2, one of the reference characters "9" has been removed. Replacement Figure 2 has also been altered to show the thickness of the guide bushing 24' completely surrounding the bearing tube. Applicants respectfully request the removal of this objection.

### **Specification**

Paragraphs [0001] and [0008] of the specification have been amended to remove reference claim 1. As the specification no longer contains references to the claim language, removal of this objection is requested.

### **Claim Objections**

Claim 1 was objected to by the office action for informalities based on a broad limitation followed by a narrow limitation. Applicants have amended the preamble of claim 1 to eliminate having a broad limitation followed by a narrow limitation, removal of this objection is therefore requested.

### **Rejection of Claims 1-5 under 35 U.S.C. §112**

Claims 1-5 were rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been amended to more particularly claim the subject matter and clarify that the components discussed in the preamble are the same as discussed in the body of the claim. The reference to "components acting on the bearing" has

been clarified as to acting on the pin. The recitation "by the bearing" with respect to the second component has been removed.

Claim 3 has been canceled making the rejection moot.

Accordingly, removal of these rejections is respectfully requested. Claims 2-5 depend from Claim 1, and the rejection against them should also be removed.

### **Rejection of Claims under 35 U.S.C. §102**

Claims 1, 3 and 5 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 4,096,957 to Iverson.

Iverson discloses a pivot pin assembly for mounting a loader bucket on a loader arm. A cylindrical pin inside of sleeve bearing is inserted into spaced apart retaining sleeves. A flanges mounted to a bracket that is connected to one of the retaining sleeves prevent axial movement of the pin in one direction, while a cover plate secured to the bracket prevents axial movement of the pin in another direction.

Claim 1 recites a bearing at a joint between first and second articulated components on a construction machine and a third component. The bearing is formed by the intersection of the components and a pin located in a bearing sleeve that interconnects the components. The third component is attached to at least one end of the pin which protrudes from the sleeve. Iverson fails to disclose a third component that transmits an applied force to the pin and can rotate with respect to the pin and the first and second components. The third component of Iverson as indicated by the examiner is a reinforcement ring which is welded to the side of the bracket, which is the second component. The third component of Iverson is therefore unable to rotate with respect to the first and second component as well as the pin and further can not transmit an applied force to the pin.

Iverson does not describe or suggest the recited elements of claim 1. Accordingly, allowance of claim 1 is respectfully requested. Claims 5 depends from claim 1 and as such should be allowed for at least the same reasons of allowability of claim 1 as presented above.

Claim 1 and 2 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,069,509 to Johnson et al.

Johnson discloses an endless track chain with a rotatable sealed sleeve mounted about the bushing. Johnson uses a track hinge joint for articulately coupling a pair of outboard link ends on a first chain to an inboard set of links on a second chain. The pin is non-rotatably secured to the out-board link ends, a bushing is received about the pin and non-rotatably secured to the in-board link. A cylindrical sleeve is mounted about the bushing.

Claim 1 as discussed above is directed to a bearing for articulating three components about a fixed pin and sleeve wherein all three components are rotatable about the axis through the pin with respect to the pin. The third component of Johnson is non-rotatably secured to the link portions of the pin and can not be rotated with respect to both the pin as well as the first and second component.

Nowhere does Johnson describe or suggest the recited elements of Claim 1. Accordingly, allowance of claim 1 is respectfully requested. Claim 2 depends directly from claim 1 and as such should be allowed for at least the same reasons of allowability of claim 1 as presented above.

### **Rejections under 35 U.S.C. §103**

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson in view of German reference DE-926,532 to Traktoren.

Claim 4 depends directly from claim 1 and as such should be allowed for at least the same reasons of allowability of claim 1 as presented above.

Applicants respectfully request withdrawal of this rejection.

### **New Claims 6-11**

Claims 6 -12 are added to claiming a construction machine utilizing the previously claimed part. No new matter is added. Applicants respectfully submit that newly added claims 6-12 define patentable subject matter and allowance of claims 6-12 is respectfully requested.

### **Conclusion**

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Amdt. dated February 15, 2008

Reply to Office Action of December 15, 2007  
Attorney Docket 18213

Applicants respectfully submit that claims 1, 2 and 4-12 define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

No fee is believed due with this communication. Nevertheless, should the Examiner consider any fees to be payable in conjunction with this or any future communication, authorization is given to direct payment of such fees, or credit any overpayment to Deposit Account No. 14-0780. The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Respectfully submitted,

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